

MINUTES OF COUNCIL SPECIAL REGULAR MEETING – MAY 31, 2011

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THE WEST VALLEY CITY COUNCIL MET IN SPECIAL REGULAR SESSION ON TUESDAY, MAY 31, 2011, AT 6:34 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Don Christensen
Corey Rushton
Steve Vincent

Paul Isaac, Acting City Manager
Carel Hicks, Acting City Recorder

ABSENT: Russ Brooks
Carolynn Burt

STAFF PRESENT:

Russell Willardson, Public Works Director
John Evans, Fire Chief
Nicole Cottle, CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Claire Gillmor, Law Department
Jake Arslanian, Public Works Department

15344 **COMMENT PERIOD**

Mayor Winder explained there was no “comment period” listed on the Agenda, as this was a special meeting; however, he recognized Skye Rees to address the City Council.

Mr. Rees addressed the City Council and advised he had previously appeared before the Council regarding breeding and selling rodents for snake food as a home business. He stated he had taken his time to address the Council’s concerns and he distributed information regarding that request.

15345 **RESOLUTION NO. 11-70, APPROVE A SETTLEMENT AGREEMENT WITH THE HAWAIIAN HUT LLC FOR IMMEDIATE OCCUPANCY**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 11-70 which would approve a Settlement Agreement with The Hawaiian Hut LLC for immediate occupancy.

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Paul Isaac, Acting City Manager, explained the City Center Redevelopment Plan was adopted by the Redevelopment Agency in 2004 and was recently updated. This Plan involved the urban renewal of the area that includes the Valley Fair Mall, the property surrounding West Valley City Hall and the area to the West of City Hall.

He explained The Hawaiian Hut LLC, held a lease interest in the Redevelopment Agency's property located at approximately 3510 S. Market Street. He indicated the City was party to the Settlement Agreement because of the condemnation notice that was sent.

Mr. Isaac stated the Redevelopment Agency (RDA) desired to acquire the lease to build a hotel as the centerpiece of Fairbourne Station (formerly known as City Center). The leasehold interest was located in an RDA-owned building located in the footprint of the future hotel. He indicated while the City had diligently attempted to negotiate a final settlement on the lease, the timeline for the hotel required the building to be removed by July 1, 2011. The Settlement Agreement allows for the RDA to immediately occupy the building to meet this deadline. In the Settlement Agreement, the RDA agrees to certain methods of determining the value of the lease, to pay \$60,000 to The Hawaiian Hut as initial payment, to pay The Hawaiian Hut's legal expenses up to \$5,000 per month until a final settlement is reached. The Hawaiian Hut agrees to vacate the building by June 7, 2011 and waives any legal claims contesting the RDA or the City's ability to condemn the building.

The Acting City Manager answered questions from members of the City Council.

After discussion, Councilmember Christensen moved to approve Resolution No. 11-70, a Resolution Approving a Settlement Agreement with The Hawaiian Hut LLC for Immediate Occupancy. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE SPECIAL REGULAR MEETING OF TUESDAY, MAY 31, 2011, WAS ADJOURNED AT 6:37 P.M. BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Special Regular Meeting of the West Valley City Council held Tuesday, May 31, 2011.

Carel Hicks, MMC
Acting City Recorder